SATURDAY, JUNE 4.

By Authority.

At a meeting of the Privy Council, convened yesterday, at the residence of H. R. H. Princess Kamamalu, who presided, the following resolution was passed, viz :

Resolved, That this Council advise His Majesty the King to command the Minister of Interior, be instructed to enter into an arrangement with a competent person to proceed to such corntry or countries as may be most advantageous for procuring labor, and to enter into arrangements with Planters and others for the defrayment of the expenses of the bringing in of emigrants, and to make such contracts with planters as will be just to employer and employed, and safe and advantageous to the country.

D. KALAKAUA, Secretary Privy Council. MORCARKAUA HALE, Honolulu June 2, 1864.

Notice to Planters and Others Interested in the Importation of Laborers.

As a result of the various meetings of the Planters' Society and of the investigations and reports made by a Joint Committee, three members of which, namely, Mr. W. L. Green, Mr. W. A Aldrich and Mr. J. C. Pfluger, were appointed by the Planters' Society, and three, namely, the undersigned, Mons. C. de Varigny and Mr. C. C. Harris, by the King's Government, the Government has decided upon the following

To invite, and it hereby does invite, all persons desirous of securing the services of imported laborers, without reference to the replies with which they favored the undersigned to a previous notice dated the 8th April last, to state how many East Indian Coolies, male and female, they will undertake to receive upon their being landed here-the said Coolies to be of the race called East Indian Coolies and more particularly Hill Coolies, but not of China.

Upon receiving undertakings of this nature for say, four or five hundred Coolies, the Government will engage and despatch to Singapore, via Hongkong, an Agent, perfectly acquainted with the requirements of this country, and capable of making such a selection of Coolies, in view of the characteristics of the race to which they belong and their sanitary condition, as may fairly promise to secure the best class of laborers pro-

To do this the Agent will have to be provided by the Government with powers to contract for these Coolies upon certain terms, such as the peried for which the engagement is made, the pay of the men and that of the women, the conditions upon which they are to be returned at the expiration of their contract, and also the conditions upon which they will be allowed to reengage themselves for a second term, &c., &c., &c.

It is evident that the conditions and terms will have to be the same in the case of all the Coolies who may be brought here and for whatever plantation they may be engaged.

To meet the current expenses of the Agent a certain amount per head on the Coolies ordered by each planter or company will have, of necessity, to be paid in advance, the Government at present having no means at its disposal to avoid

The Agent will use all diligence in the matter of economy at every point of outlay, and the character of the gentleman chosen to carry out this national object-for the future prosperity of the country is inseparable from that of the planters, and without imported labor the planters cannot reckon upon permanent success-is such as to recommend itself to all.

It is therefore proposed that in answering this invitation the applications should be made subject to the following conditions:

1. That the party applying will pay for the passage, clothing, food, &c., of each Coolie upon delivery \$100, at the outside, or as much less as the strictest economy compatible with the health and efficiency of the laborer will permit : and \$5 per calendar month for the men, and \$3 for the women, as a maximum.

2. That upon each laborer applied for an advance of \$10 will be made by the applicant for the purpose above stated, \$5 only to be paid in the first instance, at the departure of the Agent, and the remaining \$5 when the necessity of the case shall require.

The undersigned while, in accordance with the duty imposed upon him, thus asks for direct application, will nevertheless be happy to meet with planters or their agents to offer further information, should it be desired before any offer CHARLES GORDON HOPKINS. is made. Home OFFICE, 3d June, 1864.

SUPREME COURT--In Banco.

In the matter of the Estate of His Majesty KAMEHAMEHA IV., late

Justice Robertson delivered the judgment of the

A difference of opinion having arisen touching the descent of the property held and possessed by His late Majesty Kameha-meha IV., a case has been submitted to the Court, upon an agreed statement of facts, in order that the rights of the several high personages interested may be solemnly adjudicated upon It is claimed on behalf of His Majesty Kamehameha V., that he, as hereditary successor to the throne, shall inherit the entire

estate, both real and personal, derived from His Majesty Kamehameha HL, at his decease, and held by Kamehameha IV., the King lately decensed. On the part of Queen Emma, lately the Consort of His Majesty Kamehameha IV., it is claimed that all the property possessed by her late Royal Husband was his private

and must descend in accordance with the general law of the Kingdom, and that she is therefore entitled to inherit one-half of his real and personal estate, after payment of his debts, and to take dower in the other half. We down it unnecessary to recapitulate here the statement of facts submitted on behalf of the parties, as these facts will be

referred to in the course of our decision, as such reference may be necessary to elucidate the grounds upon which our judgment

In order to simplify the case we will first dispose of the claim or dower in one-half of the estate, in addition to an absolute right in the other half, as heir under the Statute, set up on behalf of Queer. Emma. In our opinion, if she is entitled to dower at all, she must take dower in the entire estate which carse to her late Royal Husband with the Crown, at the dernise of his predecessor Kamehameba III. If, as is claimed on her behalf, she is entitled as a statutory heir to take one-half of her late husband's estate absolutely by way of inheritance, she can-not take dower also in the other half. In that case her right to dower, as widow, would be lost in her superior right to inherit as an heir. She cannot take in both those rights in the same

The claim to the entire estate, as an appanage of the Crown, put forward by the Attorney-General on behalf of His Majesty present King, is made to rest chiefly on the construction which it is contended should be given to the Statute passed on the 7th day of June, A. D. 1848, entitled, "An Act relating to the lands of His Majesty the King and of the Government."

The preamble to that act, and the portions of it which bear upon the case, read as follows: "Whereas, It hath pleased His Most Gracious Majesty Kamehameha III., the King, after reserving certain lands to him-self as his own private property, to surrender and forever make over unto his chiefs and people the greater portion of His Royal

"And Whereas, It hath pleased our Sovereign Lord the King, to place the lands so made over to his chiefs and people in the keeping of the House of Nobles and Representatives, or such person or persons as they may from time to time appoint, to be disposed of in such manner as the House of Nobles and Representatives may direct, and as may best promote the prosperity of this Kingdom and the dignity of the Hawaiian Crown; there-

" Be it enacted by the House of Nobles and Representatives of the Hawaiian Islands in Legislative Council assembled, "That, expressing our deepest thanks to His Majesty for this noble and truly royal gift, we do hereby solemnly confirm this great act of our good King and declare the following named lands, viz: (Here follow the names of the several lands.) To be the private lands of His Majesty Kamehameha III., to have and to hold to himself, his heirs and successors forever; and said lands shall be regulated and disposed of according to his royal will and pleasure, subject only to the rights of tenants.' After the foregoing follows the acceptance by the Legislature of the lands made over by the King to the Hawaiian Govern-

ment, the lands being mentioned by name.

It is contended by the Attorney-General that by the true conruction of this act it must be understood as declaring that the lands reserved to himself by Kamehameha III., in the grand division of 1848, were to descend forever to his heirs and ccessors on the throne, as a Royai Domain annexed to the Hawaiian Crown, and that they are not subject even to the right

On the other hand it is argued that by a fair construction of the act taken in connection with the instrument of reservation signed and sealed by Kamehameha III., on the 5th day of March, 1848, of which the act of the Legislative Council was simply a confirmation, the lands in question were declared to be the private property of Kamehameha III., his heirs and asthat as such, they are not only subject to the right of dower, but distributable under the Statute regulating the descent of property generally like other private estates of persons dying intestate, and that therefore Her Majesty Queen Emma, in the absence of any lineal heir of her husband the late King, is entitled to one-half of the estate under the peculiar provisions of Hawaiian law, which would pass the other half to His Royal Highness M. Kekuanaoa, the surviving father of the late as of the present King.

The view which the Court takes of this matter, after the most careful examination and reflection, agrees in some respects with the views so ably propounded by the learned counsel for both the royal claimants, and yet as will be seen, differs materially

It is conceded that the Court, in order to enable it to give a just construction to the act of the 7th of June, 1848, is at liberty to refer not only to the two instruments executed by His Majesty Kamehameha III., on the 8th of March, 1848, which were unquestionably the foundation of the Legislative enactment, but also to Hawaiian history, custom, legislation and polity, as well as to the records of the Privy Council, and the acts of the parties

mmediately interested subsequent to the great division.

The nature of land tenures in this Kingdom, prior to the great changes effected during the reign of Kamehameha III., will be found very clearly explained in the "Principles adopted by the Board of Commissioners to quiet Land Titles" (vol. 2 Statute Laws, page 81.) which were drawn up with much care upon the most valuable testimony that could be obtained. It is therein declared that "when the islands were conquered by Kamehameha I. he followed the example of his predecessors and divided out the lands among his principal warrior chiefs, retaining, however, a portion in his own hands to be cultivated or managed by his own immediate servants or attendants. Each principal chief divided his lands anew and gave them out to an inferior order of chiefs or persons of rank, by whom they were subdivided again and again after (often) passing through the hands of four, five or six persons from the King down to the lowest class of tenants." All these persons were considered to have rights in the lands, or the productions of them, the proportions of which rights were not clearly defined, although universally acknowledged. "All persons possessing landed property, whether superior landlords, tenants or sub-tenants, owed and paid to the King not only a land-tax, which he assessed at pleasure, but also service which was called for at discretion, on all the grades from the highest down. "They also owed and paid ome portion of the productions of the land in addition to the yearly taxes. A failure to render any of these was always considered a just cause for which to forfeit the lands. "The same rights which the King possessed over the superior landlords and all under them, the several grades of landlords possessed over their inferiors, so that there was a joint ownership of the land: the King really owning the allodium, and the person in whose hands he placed the land, holding it in trust." Such was the nature of the tenures, and such the titles by which the lands were held, when in 1839 protection was declared both for erson and property in the following words, "Protection is hereby secured to the persons of all the people; together with their lands, their building lots and all their property." (See Old Laws, page 10.) "The same law confirms what has been already stated in relation to the rights of His Majesty the King in all lands. Section third requires that every tenant of land shall showing clearly that there is no individual who has an allodial title to the soil, that title remaining with the King." (Principles, Vol. 2, Stat. Laws, p. 82.) The Commissioners proceed to say that the King could not dispose of the allodium to any other person without infringing on the rights of the superior lord, nor could the lord, if he purchased the allodium, seize upon the rights of the tenants and dispossess them. "It being therefore fully established, that there are but three classes of persons baving vested rights in the lands-1st the Government, (i. e. the King.) 2d the landlord, and 3d the tenant, it next benes necessary to ascertain the proportional rights of each." Thid, p. 83.) The Commissioners, in view of the evidence tiven, arrived at the conclusion that should the King allow to the landlord one-third, to the tenant one-third, and retain onethird himself, he according to the uniform opinion of the witnersess would injuire no one unless himself. (Ibid p. 83.) It was the imperative necessity of separating and defining the rights of the several parties interested in the lands which led to the institution of the Board of Land Commissioners, and to the division made by the King himself with the assistance of His

At the death of Kamehameha I., his son Liholiho, Kameha-II., was recognized as King in accordance with his father's ex-Along with the Crown, Kamehameha II. inherited all his father's rights as an absolute Sovereign and as Suzerain or Lord Paramount of all the lands in the Kingdom, which rights, unimpaired, descended with the Crown to Kamehameha III. upon the death of his brother and predecessor.

In the year 1839 began that peaceable but complete revolu-tion in the entire polity of the Kingdom which was finally consumated by the adoption of the present Constitution in the year 1852. His Majesty Kamehameha HI. began by declaring proection for the persons and private rights of all his people from the highest to the lowest. In 1840 he granted the first Constition by which he declared and established the equality before the law of all his subjects, chiefs and people alike. By that Constitution, he voluntarily divested himself of some of his nowers and attributes as an absolute Ruler, and conferred certain political rights upon his subjects, admitting them to a share with himself in legislation and government. This was the bening of a government as contradistinguished from the person of the King, who was thenceforth to be regarded rather as the ecutive Chief and Political Head of the nation than its absolute Governor. Certain kinds of public property began to be ognized as Government property, and not as the King's. Taxes which were previously applied to the King's own use were collected and set apart as a public revenue for Government purposes, and in 1841 His Majesty appointed a Treasury Board to manage and control the property and income of the Government. But the political changes introduced at that period did not affect in the least the King's rights as a great feudal Chief or Suzerain of the Kingdom. He had not as yet yielded any of those rights. It was expressly declared that he should still retain his own lands, and that lands forfeited for the non-payment of taxes should revert to him (Old Laws, p. 12.) Under the first law relating to the descent of lands to heirs, a portion of the lands held by any landlord were at his death to be restored to the King; and in case the landlord died leaving no heir, his lands and other property belonged to the King, by eseat (Old Laws, p. 47.) Kamehameha III. gave a striking oof of his power as Suzerain of the Kingdom, when he resumthe possession of all the fishing grounds within his domin ions, for the purpose of making a new distribution of them, with

the consent of his chiefs in Council, (Old Laws, p. 36; Haalelea vs. Montgomery, March 1858.) The laws organizing the executive departments of the government were eracted in the year 1846. Those laws provided among other things for the establishment of the Board of Land Commissioners, for the purpose of effecting a division of rights in land and of quicting the titles throughout the kingdom. The subject of rights in land was one of daily increasing importance to the newly formed government, for it was obvious at the internal resources of the country could not be deloped until the system of undivided and undefined ownership n land should be abolished. Several expedients were resorted to with a view to obviate in some measure the existing difficul-ties, in advance of the action of the Land Commission. With that view the Legislative Council on the 7th November, 1846. passed a series of joint resolutions on the subject of rights in lands and the leasing, purchasing and dividing the same (Statute Laws, Vol. 2, page 70, Sec. Oni vs. Meek, October term, 1858.) But it was evident that such expedients could be of but little real benefit, while it must also have been forseen that the opertions of the Land Commission would occupy a long series of years, and that the Commission would encounter much difficul-ty in settling the rights of the Chiefs and Konohikis. In the month of December, 1847, the subject was discussed at length in the Privy Council. The record of that discussion is of the highest interest and has been carefully examined by the Court. It was finally resolved by the King in Council, to effect, through the assistance of a Committee, a division of lands between the King, as Suzerain, and the high Chiefs and Konohikis, his Feudatories. That division appears to have been effected with

dispatch, for by the end of February, 1848, it was completed. The King had resumed the possession of the larger part of the lands previously in the possession of the Chiefs and land-lords, and the remainder had been granted to the several holders by freehold title certified to the Land Commission for its formal award, and capable of being converted into an allodial title, by payment to the government of a commutation to

be fixed in Privy Council.

His Majesty's Suzerainty over the lands held by his Chiefs and other individuals was then at an end. He stood possessed of the lands which were in his own hands previous to the division and of those resumed in the division, constituting together a large part of the landed property of the kingdom-a truly royal domain. But it is evident from the minutes of the Privy Council, that the lands comprised in that demain were act re garded as the King's private property strictly speaking. Even before his division with the landholders, a second division between himself and the government or state was clearly contemplated, and he appears to have admitted that the lands he then held might have been subjected to a commutation in favor of the government, in like manner with the lands of the Chiefs. records of the discussion in Council show plainly His Majestys anxious desire to free his lands from the burden of being considered public domain, and as such, subjected to the danger of confiscation in the event of his islands being seized by any foreign power, and also his wish to enjoy complete con over his own property. Moved by these considerations and by desire to promote the interest of his kingdom, he proceeded with an exalted liberality to set apart for the use of the government the larger portion of his royal domain, reserving to himself what he deemed a reasonable amount of land as his own estate. To effect that object he signed and scaled on the 8th of March, 1848, two instruments contained in the Mahele Book,

the first of which reads as follows : "E ike nuanci na kanaka a pau ma keia palapala, owan o Kamehameha III., no ka lokomaikai o ke Akua ke 'Lii o ko Hawaii nei pae aina, ua haawi au i keia la no ko'u makemake maoli no, a na hoolilo a me ka hookaawale mau loa aku i na 'Lii a me na kamaka, ka nui o ko'u aina alii e pono ni a e pomaikai si ke Aupuni Hawaii, nolaila, ma keia palapala ke hookoe nei au no'u iho a no ko'u pee heilina a no ko'u pee hope a mau loa aku, na aina a'u i kakauja ma na acao 178, 182, 184, 186, 190, 194, 200, 204, 206, 210, 212, 214, 216, 218, 220, 222, o keia buke, na hookaawaleia na poe aina la nou a no ko'u poe hoilina a me na hope a'u a mau loa, he waiwai ponoi no'u aole mea e ae."

That instrument we translate into English thus: "Know all men by these presents that I Kamehameha III., by the grace of God, King of these Hawaiian Islands, have given this day of my own free will, and have made over and set apart forever to the Chiefs and people the larger part of my royal land, for the use and benefit of the Hawaiian government, therefore by this instrument I hereby retain (or reserve) for myself and for my heirs and successors forever, my lands inscribed at pages 178, 182, 184, 186, 190, 194, 200, 204, 206, 210, 212, 214, 216, 218, 220, 222, of this book, these lands are set apart for me and for my heirs and successors forever, as my own property exclusively. The other instrument which was also executed in the Ha-

wallan language, we translate into English thus: Know all men by these presents that I Kamehameba III., by the grace of

God, King of these Hawaiian Islands, do hereby give, make over and set spart forever to the Chiese and people of my kingdom. and convey all my right, title and interest in the lands situated here in the Hawaiian Islands, inscribed on pages 179 to 225. both inclusive, of this book, to have and to hold to my Chiefs

These lands are to be in the perpetual keeping of the Legislative Council (Nobles and Representatives) or in that of the superintendents of said lands, appointed by them from time to time, and shall be regulated, leased, or soid, in accordance with the will of said Nobles and Representatives, for the good of the Hawaiian government, and to promote the dignity of the

By referring now to the confirmatory act of the 7th June, 1848, it must be apparent to every one, from the close similar ty of the language used in said act with that of the instruments just recited, that the Legislative Council simply intended by that act to ratify what had been already done by the King in Privy Council, and thereby bind the nation to its faithful observance forever. We think the Attorney-General was mistaken when he said the act of 7th June, 1848, appeared to have been drafted hastily or inadvergently. It is within the knowledge of the court that the act in question was prepared in the English language by the late Chief Justice Lee, who had taken a prominent part in the discussion of the subject in the Privy Council, and who in common with other councillors appears to have been fully alive to the nature and importance of the business, and knew well the legal import of the language introduced into

His Majesty King Kamehameha III., had no surviving child of his own but had adopted his nephew, Prince Alexander Li-holiho. In the month of April, 1853, His Majesty, with the consent of the House of Nobles and in accordance with the 25th Article of the Constitution, publicly proclaimed Prince Liboliho as his successor on the throne. At the same time he made and executed his last. Will and Testament, declaring his will both in regard to the descent of the Crown and the disposition of his es-By the first clause of that instrument he declared his will that, Prince Liholiho, his adopted child, should be his heir and successor to the Crown. By the second clause he declared that if Prince Liboliho should not survive him or should become in-capacitated under the Constitution, his will was that Prince Lot Kamehameha should be heir to the throne, and failing him, the Princess Victoria Kamamalu. By the third clause be directed that all his just debts should be paid out of his estate by his executors as soon as convenient after his decease. By the arth clause he devised to his consort Queen Kalama, certain ands in lieu of dower provided she should accept the same. By the fifth clause he devised all his remaining estate to his adopted son Prince Liholibo. His Majesty died on the 15th December, 1854, and was succeeded by Prince Liboliho as Kamehameha IV. The will of Kamehameha III. was culy proved before the Hon. Lorrin Andrews, Judge of Probate, of 27th day of January, 1855, and the provisions thereof, touching the King's estate, were carried out by his executors It is admitted that from the time when Kamehameha III. eparated his own property from that of the Government, in 1848, up till his death, he dealt with his reserved lands as his own private estate, leasing, mortgaging or selling the same at his pleasure. Ever since the division, those lands, except such as have been sold, have always been known as the King's lands. and have been managed by an agent or land steward appointed by the King. After the death of Kamehameha III., Queen Kalama declined to accept the lands devised to her by the King's will, in lieu of dower, on the ground that she had received these lands from him in the division of 1848. Her right to dower was acknowledged by King Kamehameha IV., who made an amicable arrangement touching the same, by upon her a fixed annuity for life, in consideration of which she quished her claim for dower by deed. In the year 1856 the late King married his still surviving consort Queen Emma. No ante-nuptial agreement was made as to their property, nor any provision in the nature of a jointure for the Queen. During His Majesty's reign, a period of nearly nine years, he constant dealt with the lands in question as his private property in like manner as his predecessor had done, and Her Majesty Queen Emma was always in the habit of joining with him in de individuals, whenever it was neccessary that she should do so in order to bar her dower. On the 30th day of November last,

His Majesty died intestate. Having stated fully all the facts and circumstances which em to us calculated to throw light on the subject, and to guide the Court in ascertaining the intention of Kamehameha III. as declared in the instrument of reservation of the 8th March 1848, and in giving a sound construction to the confirmatory act of the Legislative Council, it only remains for us now to

announce the conclusions at which we have arrived. In our opinion, while it was clearly the intention of Kamehameha III. to protect the lands which he reserved to himself out of the domain, which had been acquired by his family through the prowess and skill of his father, the conqueror, from the danger of being treated as public domain or government property, it was also his intention to provide that those lands should de-scend to His Heirs and Successors, the future wearers of the crown which the conqueror had won; and we understand the Act of 7th June, 1848, as having secured both those objects Inder that Act the lands descend in fee, the inheritance being limited however to the Successors to the Throne, and each successive possessor may regulate and dispose of the same according to his will and pleasure, as private property, in like manner as was done by Kamehameha III.

In our opinion the tifth clause of the Will of Kamehameha III. was not necessary to pass the reserved lands to Kamehameha IV., any more than the first clause was necessary to pass to him the crown. He was entitled to inherit those lands by force of the Act of 7th June, 1848, when he succeeded to the crown, in virtue of the public proclamation made by his Predecessor with the consent of the House of Nobles, and he was entitled as the adopted son of Kamehameha III., to inherit the remainder of his estate not devised to any one else, subject to dower.

We are clearly of opinion also, that Her Majesty Queen Emma is lawfully entitled to dower in the reserved lands, except so far as she may have barred her right therein by her own act and deed. There is nothing in the Act of 7th June, 1848, which can be understood as taking away the Queen's right of dower in the lands therein named: nor is there any law of this kingdom which renders the matrimonial rights of the wife of the King any less than or any different from those of the wife of any private tleman. Such was unquestionably the understanding of both Kamehameha III. and his Successor, as to dower in those lands, which are to be dealt with in all respects as private inheritable property, subject only to the special Legislative restric-

But His Majesty Kamehameha IV. was possessed of other property, both real and personal at the time of the death and lands. The descent of that part of his estate must be governed by the general law of inheritance and distribution, and Her Majesty Queen Emma is therefore entitled as statutory heir to one-half of that property, after the payment thereout of such portion of the late King's debts as are not specifically charged by mortage or otherwise upon the reserved lands. Debts of the latter class ought clearly to be paid out of the estate encum-

tion on the manner of their descent.

Let judgment be entered accordingly in favor of both the Honolulu, 27th May, 1864.
Attorney General Harris, for His Majesty the King; Messrs.

Bates and Montgomery, for Her Majesty Queen Emma.

(For the Pacific Commercial Advertiser.)

MR. EDITOR:-In closing my last letter, I remarked, that I did not remember to have heard " any expression which would imply that His Majesty's advisers had any opinion on the subject as to whether one Chamber or two would be preferable for a Legislative Council," and now beg to reiterate that assertion, and, at the same time, to say that it is thought that it will be for the public benefit that some of His Majesty's advisers should be enabled to take seats in the House of Commons, instead of the House of Nobles, or, in other words, instead of being "required to attend on the House in person or by deputy, as the Representatives shall determine," whensoever they may require, (see Sec. 54,) or only have a right "to be heard when accused of maladministration in office" (Sec. 55,) that they shall be required to be in attendance at all times, during the session, ready to give such information and explanations as they may be enabled, and answer such questions as may be nut to them, touching the public business.

With regard to a property qualification for Representatives and voters, you, Mr. Editor, have put forth your ideas in your issue of May 7th. do not know how high you would think advisable; but all the members of government are of opinion that it should not be high, not so high as to prevent any industrious man, in any portion of the country, from obtaining the privileges, but to exclude mere foungers and idlers, so as to make the privileges somewhat a reward for respectability, and an incentive to industry. This is thought of more essential importance, as it is hoped that emigrants may be brought hither in large numbers as laborers, who will be entitled to the rights of citizenship, should they choose to become naturalized, but should not be entitled to vote, unless they demonstrate their fitness for the privilege by intelligence and thrift; and it is further thought to be of great importance, if elections are to be considered worth anything, to resort to the principle of check-lists, or registration. These are the articles which have been prepared to

"The representation of the people shall be based on the principle of equality, and shall be one representative for every 3,000 cople. The several islands shall be districted for representaecording to the population ascertained by the official census of 1859, and every sixth year thereafter; and whensoever, by reason of the increase of the population, the number of Re-presentatives would exceed thirty by this apportionment, a arger number than 3,000 shall be taken as a basis, so that the ber of Representatives shall not exceed thirty.'

" No person shall be eligible for a Representative of the peopie, unless he be a male subject or denizen of the kingdom, who shall have arrived at the full age of twenty-five years, who shall know how to read and write, who shall understand accounts, and who shall have resided in the kingdom for at least three years immediately preceding the election, and who shall own real estate within the kingdom, unincumbered, of the value f at least ------, or of personal property to the amount of at least ____, or who shall have an annual income of at least ____ derived from some lawful employment"—or shall be a Lessee of a property for which he may pay rent at the rate of -

"Every male subject of His Majesty, whether native or naturalized, who shall have paid his taxes, who shall have attained the age of twenty years, and who shall have resided in the kingdom three years immediately preceding the election, and shall be possessed of real property in this kingdom to the value , or be a Lessee of an estate for which he pays dollars rent, or an income of not less than ---- dollars derived from some lawful employment, or shall be pessessed of personal property to the amount of ----, and shall have caused his name to be entered on the LIST of VOTERS of his district, as may be provided by law, shall be entitled to one vote for the Representative or Representatives of the District in which he may have resided during three months next preceding the day of election. And further, every person having His Majesty's letters of Denization, shall have the same rights in this respect with His Majesty's native or naturalized subjects. Provided, however that no insane or idiotic person, nor any person who shall have been convicted of any infamous crime

within this kingdom, unless he shall have been pardoned by the King, and by the terms of such pardon have been restored to all the rights of a subject, shall be allowed to vote."

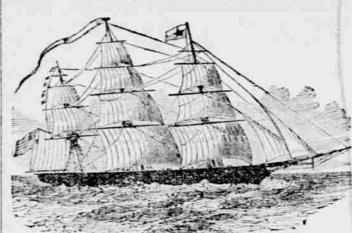
"Kumukanawai," asks some questions regarding the action of the Convention. I do not know whether he asks for information or not, but presuming that he does, I will answer, as he especially requests myself or the Minister of the Interior so to do. The action of the Convention will be perfectly untrammeled save by their own regulations, and their manner of proceeding will be as it may seem to them most calculated to effect the object for which they came together. I do not see that there could be a Convention, or meeting together for mutual interchange of thought, unless they were together in the same House, therefore I would answer that they would meet in one House. But they will vote by estates or joint-ballot, as may please the Delegates which are most numerous. On all matters of personal convenience or common interest, such as time of sitting, interpreter, clerk, and the like, I should think they would vote by joint-ballot. On all matters of importance, such as the passage of an article, they would probably vote by estates, the Delegates voting first, and if they shall reject, it will be of no use to vote further, since all the estates must concur. The negative of one estate would defeat the proposi-

Now, sir, I think that I have done what was asked. viz., to show what changes are thought to be advisable from the best light that government can obtain. It will be seen that there are none of them of an alarming nature. The people are free to adopt them or reject them, or to propose others for consideration. would like to review the article of "Kumukanawai," which is generally respectable in its tone, and show wherein our situation and circumstances not being similar, his argument intended to be drawn from the example of those States, is not conclusive; but I have not time, and my engagements will not permit me to discuss debateable questions in writing. There are very many who have both by letter and in person thanked me for my letters, and I return them my cordial thanks. For those who have choosen or may choose to throw dirt from behind your shelter, using your property for that purpose, that rests between you and them on the one hand, and you and your readers on the other.

For yourself, sir, I am obliged for the use of your columns, and remain as before. C. C. H. Yours truly,

FOUR DAYS LATER

Arrival of the **CLIPPER SHIP DANUBE.**



GRANTISTILL VICTORIOUS!

HANCOCK CAPTURES 30 GUNS AND 7000 PRISONERS!

Butler Marching on to Petersburg

Gen. Longstreet's Corps Crushed by by Burnside and Three Rebel Brigades Captured.

By the arrival of the clipper ship Danube, Captain Broughton, 16 days from San Francisco, we have received a few days' later news from the seat of war. We copy from Bulletin and Alta;

NEW YORK, May 12th. The Herald's correspondent says of Tuesday's battle: The most determined and persistent efforts were made in the fight in this localty to turn our right. Charge after charge was made by the enemy on the right. Our men repulsed each charge, and at length the Fifth Corps drove the enemy, compelling them to fall back to their defenses. The effect of this repulse was apparent. The rebel dead at points lay piled in heaps. We made a grand general assault at 7 o'clock. It was the most magnificient and terrible one of the war. The batteries of the Fifth Corps were placed in every advantageous position, as likewise were the batteries of the other corps. They opened simultaneously, and hurled murderous missiles into the ranks of the enemy, accompanied by a general volley of musketry. From this hour till dark the combat deepened, and night left us victors on every side. Our lines were now advanced, and we have taken more prisoners than we have lost.; but it has been another expensive victory. Our losses are heavy, but it is believed those of the enemy far exceed curs. We expect the battle will be decided in the morning. Our men are in good spirits. There is no give way to them,

The Times' Washington dispatch, dated May 11th, says: A distinguished officer, who left Grant in the saddle as late as 10 o'clock this morning, sums up the bloody work of yesterday thus : The fight opened all along the lines. Longstreet's corps, under A. P. Hill, held the rebel right, resting about two miles northeast of Spottsylvania. Grant pitted Burnside's Ninth Corps against it. At a given moment, late in the afternoon, Burnside precipitated his entire command, except the colored troops, upon the rebel front, driving and completely crushing it, capturing three rebel brigades and four pieces of cannon. The fight continued, with a ferocity never before witnessed, until night closed upon the bloodiest field of the war. The losses on both sides are very large. \ Of the rebel brigades captured some escaped during the awful carnage which followed, but twelve hundred of them were recaptured and were sent to the rear. This morning our informant talked with some of them (the rebel prisoners) before leaving to-day. They said they had been in every principal battle of the war, but had never experienced such terrible fighting. The battle ceased at 9 o'clock, our line having advanced, and Burnside occupying at the end of the conflict the intrenchments held by Longstreet's forces the beginning of the fight. At 10 o'clock the morning of the 11th, Burnside held the same position. Lee's army was then concentrated into a sort horse-shoe form, in and about the town of Spottsylvania Court House. Butler's movements south of Richmond had been felt and appreciated.

WASHINGTON, May 11th .- During the last twentyfour hours about 7,000 men from the Army of the Potomac, wounded in the battles of Thursday and Friday, have arrived. Comparatively few of them are suffering severely. Many will soon be returned to the army.

TENNEL HILL, (Ga.,) May 11th .- After three days of heavy skirmishing, in which all the corps participated, the enemy were driven back to Rocky Rilge and Buzzards' Roost, from which we are fast expelling them. Everything is going on well and satis-

WASHINGTON, May 10th. - The Army of the Potomee had a portion of the day to recuperate. Burnside, on Monday (9th,) began an attack with the left wing with great fury and with an encouraging degree of success. He had a fight the day before, in which, to use his own words, "We whipped old Longstreet." Our army could not be more cheerful. All imagine success and count the days when they shall invest the

rebel Capital. Lee lately issued an order in relation to supplies, in which he said the communications of Richmond were cut off and it was impossible to furnish the men with stores. No rations were issued for three days. Lee enjoins upon his men the necessity of capturing supplies from the Yankees. Up to this moment they have failed to capture a single wagon. The roads are in excellent traveling order, but very dusty. All the

battles thus far have been attacks and repulses, Muskets have been almost the only weapons used. The swampy nature of the ground rendered the employment of artillery impracticable.

Lee absurdly claims a victory, when he withdraws

from our front and retires toward Richmond. General Torbet's division of cavalry whipped the rebel cavalry near this place and drove them from Spottsylvania Court House; but being reinforced with infantry they drove our cavalry a short distance. The fighting was exceedingly fierce. Generals Torbet and Robinson were both wounded. General Sedgwick was shot through the head on Monday morning (9th)

CHICAGO, May 11th .- Special dispatches say the rebels have a large intrenched depot of supplies on the North Anna, the line of defenses toward which Lee is directing his retreat. Grant, in following him, will be leaving his base of supplies, but his men

have rations for several days with them A dispatch from Bermuda Hundred (Va.) says: Fighting commenced at noon yesterday and continued till night, between several of our brigades under General W. T. Smith and the rebels commanded by Beauregard in person. Our forces drove the enemy back three miles, nearly to Petersburg. We held the railroad between there and Richmond.

NEW YORK, May 11th .- Correspondence from Newbern (N. C.,) dated May 6th, says : Yesterday afternoon the rebel ram Albemarle, accompanied by the Satellite, Cotton Plant and the army gunboat Bombshell, captured by them at Plymouth, appeared at the mouth of Roanoke river. Our gunboats made off, as if fearful of an encounter, but they were only anxious to draw the ram into the Sound. The ram followed, and pursued about twelve miles, when the gunboats, seven in number, immediately opened fire. A terrific engagement ensued, lasting from five till eight P. M. During the early part of the battle the Cotton Plant managed to escape, firing rapidly and steadily retreating up the Sound. The gunboat Bombshell was soon retaken, with all on board. The Sassacus, with her iron-prow, put on a full head of steam and ran into the ram, striking abaft her center, but apparently without inflicting injury. The Sassacus was compelled to retire, having her rudder knocked off and a 100-pounder shot, fired by the ram, through her boiler. Night now set in, and the movements of the ram could not be clearly ascertained. Closely pursued by the gunboats, under cover of darkness, the ram succeeded in going into the entrance to Roanoke river, where the gunboats could not venture. The ram carried at least four 100-pounders. She has not been seen since, but active measures will be taken to capture or destroy

Reliable reports from Kinston (N. C.) say that the rebel ram in the Neuse is high aground. She draws seven and a half feet of water, and the river is only four and a half feet in depth. The rebeis have for the present abandoned the vessel and taken the engine

Washington, May 11th .- Accounts from the Army of the Potomac concur in stating that there was heavy fighting on Tuesday, 10th, and that about five o'clock in the afternoon an attack was made upon the rebel batteries. After the assault had continued for some time it was found that the rebel batteries could not be carried without a great sacrifice of life, and the effort was, for the time, abandoned. It is reported here this morning that General Warren was wounded yesterday and died on the way to Fredericksburg. The rumor is generally believed. The fighting yesterday afternoon (Thursday) was very severe, as heavy artillery was brought into action on both sides. The result, as far as known this morning, was to our advantage. The rebels attempted to get in the rear of a portion of our army to obtain supplies, but were driven off with loss. The fighting was renewed to-

New York, May 12th .- The Herald's special dispatch, dated Tuesday, May 10th, says: Gibbons' and Barlow's divisions were withdrawn from the south bank of the Po. The latter division was closely followed by the enemy, who were checked by our artillery, posted along the ridge commanding the river. Early in the day the whole army began to straighten out in line of battle for a renewal of the engagement, skirmishing being kept up between the advanced lines of the two armies. The enemy seemed to be secreting himself as though he intended an offensive operation. Our line was formed with the Second Corps on the right, the Fifth in the center, the Sixth on the left, with Burnside's corps on the rear of the left, for the protection of our immense trains and to act as a reserve for any emergency. The country here is quite rolling, and studded with groves of pine and other timber, affording better acilities for moving troops and for the use of artillery than the Wilderness. The enemy during the night had strengthened a formidable position, with riflepits, breastworks and barricades, rendering it stronger than any line of defense occupied by him since he left the earthworks on the Rapidan. Thus matters stood until far into the afternoon, the fighting being quite sharp at intervals at different points, but without anything definite resulting. Five o'clock, P. M., was fixed for the grand assault. General orders announcing the successes of Sherman in the West and Butler on the James river were read to the corps, producing the wildest excitement. As the hour approached for the attack the enthusiasm of the troops became almost ungovernable. Grant, accompanied by his staff, and Generals Meade, Hancock and Warren, were stationed on eminences within sight of each other, while the vast columns of our army slowly gathered together for the great struggle. Just as the attack was about to be made the enemy advanced on our right, threatening to press back that portion of the line and disconcerting for a time the plan of assault. Troops were hurried to the support of the right and succeeded in checking the rebels. Half past six was then fixed upon for the assault. Watches were compared by the Corps Commanders, and they finally separated, with orders to attack at the appointed time. At the appointed hour, simultaneously with the firing of twelve signal guns, the whole line advanced with cheers. The movement was indescribably grand. A portion of the forces moved in solid column, while the others advanced in the usual order-the whole army moving together, and yet each command fighting its own battle. The whole rebel line opened a most murderous fire, against which our lines irresistibly advanced, driving the enemy slowly back from their position and capturing nearly 2,000 prisoners and three pieces of artillery. The latter, however, were retaken by the rebels. Night closed with our forces occupying the field. The loss is heavy, but, judging from the killed and wounded left in our hands, much less than that of the enemy, who fought to the last. Our troops bayo-

hand to hand conflicts, to yield. NEW YORK, May 12th-Secretary Stanton telegraphs that a despatch from Sherman, at half-past on the evening of the 10th, states that McPherson had not attacked the enemy at Resaca on Friday. The position is strongly fortified. He [McPherson ?] had taken a position at Snake Creek Gap. Sherman is in front of Buzzard's Roost Gap, awaiting the arrival of part of his forces.

neted their men in the rifle-pits, and forced them, by

CHICAGO, May 12.—The joint resolution, provid-ing that all the Major and Brigadier Generals in the military service, who, on the first day of July next, shall not be in the performance of their duty corresponding with their rank, and who shall not have been engaged in such duty for three months continuously next prior to that date, shall be dropped from the rolls of the army, and all pay and all allowance cease from that date, passed the House yesterday, 72 to 45. The House yesterdoy concurred

money order system. WASHINGTON, May 12 -A gentleman prominently connected with the Government says they are in good spirits to day in view of the recent operations of the army. Burnside has sent to his friends to say that everything looks favorable and hopeful.

are amendment to the House bill, establishing the

New York, May 12 .- The World's special despatch from the headquarters of the Army of the Potomac, near Spottsylvania, the 12th of May, 8 A. M. says: Our army, this morning, was entirely engaged in fierce battle, and passing on to victory. After a sanguinary but generally unsuccessful battle on Tuesday, the army yesterday, was comparatively quiet. It was intended to assault the enemy's right, our force and column consisting of a portion of the Sixth Corps. Birney's division of Hancock's corps was first intended to undertake this, and the plan was afterwards abandoned. In the forenoon, two companies on the left of the Sixth Corps, commenced driving the rebel sharpshooters from their position, in a house commanding a partial view of our lines, killing and capturing several of their number. In the afternoon rain fell, continuing until after dark, laying the dust and cooling the atmosphere, and raising the spirits of our troops. Fires were built, supplies cooked, and the bands began playing, the forest along our lines being undisturbed, for once, by rebel shells. The enemy had no ammunition to waste. Meanwhile the news arrived, towards evening, that Sheridan had penetrated to

the vicinity of Beaver Dam, near Orange Court House. The railroad was torn up for about ten miles-captured a rebel supply train, and recaptured three hundred of our men who were taken prisoners in the old Wilderness battle.

This news was so inspiring wherever known that a general jubilee and cheers succeeded the announcement. During the night arrangement were pushed for an attack on our side this morning. The enemy was seen pushing towards our right, ostensibly erecting abattis in front. Hancock's troops rightly suspected that this was only a blind to the real intention of the enemy, which was therefore anticipated. After midnight the Second Corps (Hancock's) pushed to the left of the Sixth Corps (Wright's) between that and Burnside's command, and on the left of the Spottsylvania road. At halfpast four this morning Hancock attacked the enemy in front of him, our force opening with a withering cannonade, and making a resistless charge against every part of the enemy's position. The cannonade was replied to with vigor, and the charge of our men vigorously resisted, but the determination at the outset overwhelmed everything. Our troops rushed into the rifle-pits of the enemy, bayoneting them in their works, cutting their lines and capturing, in their first charge, over 3,000 men and several guns, including the greater portion of the Stonewall Brigade, belonging to the division commanded by Gen. Ned Johnston, forming a part of Ewell's corps. Gen. Johnston himself was taken prisoner. The assault continued until nearly the whole division of the corps was captured, and other troops, amounting to one thousand men. Later.

ELEVEN O'CLOCK .- A despatch arrived here this moment announcing the capture of seven thousand prisoners and thirty guns. The battle is still progressing. The Sixth Corps, on the left of the Second, has moved into battle, and are pursuing the enemy. Warren's Fifth Corps has moved up to its support on the right. The battle is becoming general, and nearly all our artillery is engaged. The clamor of the guns, the whistle of the grape and solid shot, the roar of musketry, and the enemy's shells, filled the forest with awful tumult.

Still Later.

Twelve o'clock .- It is just now reported that Hancock has turned the right flank of the enemy below Spottsylvania Court-house, and is pressing on the battle everywhere overwhelmingly in our favor. Firing has just commenced on the left, near Grant's headquarters, and the battle is going on with terrible energy. Our success is said to be certain. Prisoners are constantly coming in.

The following is a despatch sent by Gen. Hancock, this morning:

"NEAR SPOTTSYLVANIA COURT-HOUSE, MAY 12th, 8:15 A. M .- I have captured thirty to forty guns. I have finished up Johnston, and I am now going into (Signed) HANCOCK." The guns captured have arrived at headquarters,

Brigadier-General Stuart, who commanded a brigade in Johnston's divisions, was captured.

Burnside's column are reported to have moved down on the road toward Fredericksburg, going in on the enemy's rear. General Warren, with the Fifth Corps on the

right, is now sending heavy lines of skirmishers to feel the enemy's works in his front, which are said to be abandoned. It is impossible to ascertain all particulars at this

writing, but our victory is considered going on to a decisive result. We are pressing the enemy Gen. Wright is slightly wounded, but is still in command of the Sixth Corps.

The Herald's special, from City Point the 11th, says: From latest accounts, received from the front last night, it is known that Butler's force is within three miles of Petersburg, and had passed the outer lines of the rebel defences. This is important, as it more closely corrals Beauregard's command within

AUCTION BALE

BY J. H. COLE.

IMPORTANT SALE. On TUESDAY, - . - June 7th,

At the Store of Messrs. vonHOLT & HEUCK. At 10-o'clock, A. M., where a full assortment of Goods, lately imported from the United States and Europe, will be

offered, comprising DRY GOODS, CLOTHING, SADDLERY BOOTS and SHOES, HATS, CUTLERY, HARDWARE, MATCHES, GRO. CERIES, PROVISIONS,

LIQUORS, &c. Terms Liberal, and made known at sale.

AUCTION

BY H. W. SEVERANCE.

Evening Sale of CHINESE GOODS!

In Robinson & Co's New Building, Nuuanu st. THIS EVENING, Saturday, June 4th,

> At half-past 7 o'clock. J. H. COLE, H. W. SEVERANCE,

HAVE YOU BEEN -At the-

FAMILY MARKET! Yes. Sir.

Did You say that You would give ONE THOUSAND DOLLARS? For What, Sir! TO KNOW WHERE
PRICE gets that nice BEEF,
MUTTON, PORK and VEAL from.
I knew that sometime ago. It comes

FROM ARMSTRONG & CUMMINS great herds of WAIMANALO, KOOLAU. They are sent in small droves, and are always healthy. If you want GOOD MEAT give him a call, where you ing in the meat line, from a CLEAN TRIPE

Saddles and Haunches of Multon or Barons of Beef. served to order, Corned Tongue, Corned Beef, Spiced Beef, in any quantities to suit.

Meat sent to all part of Honolulu or Waikiki, free of charge If you don't believe it, give us a call at Fort Street Family Market. J. R. PRICE,



Are now manufacturing at

HALIIMAILE! 400 tons of Sugar, which they offer to

sell at reasonable prices, as it arrives. For sale also,

MOLASSES in Barrels. G. P. JUDD, Ager